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Douglas E. Erickson  
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29,530  
Reg. No.

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application of

Applicant : Ananthanarayanan et al.  
Serial No. : 09/875,787  
Filed : June 6, 2001  
Title : BATTERY TERMINAL AND METHOD FOR ITS INSTALLATION  
ON A BATTERY CASE  
Docket : DP-304512  
Examiner : Mark Ruthkosky  
Art Unit : 1745

Mail Stop Appeal Brief - Patents  
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Sir:

**REPLY BRIEF**

This is a reply to the examiner's answer dated August 13, 2004.

The examiner has alleged that claims 1-17 stand or fall together, citing 37 CFR 1.192(c)(7), because applicants' brief does not include reasons in support that the claims do not stand or fall together. Applicants respectfully submit that the examiner's allegation is in error and that Applicants' grouping of the claims in the appeal brief should stand. 37 CFR 1.192(c)(7) states that claim grouping applies with respect to each ground of rejection and that merely

pointing out differences in the argument section of the appeal brief is not an argument as to why the claims are separately patentable.

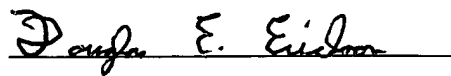
With respect to the section 102 ground of rejection, applicants have pointed out, in the argument section of the appeal brief, advantages of a particular claim grouping not found in another particular claim grouping. For example, the claim grouping of claims 1-3 and 6 is said, in the argument section of the appeal brief, to prevent the wall of the battery case from being squeezed and possibly damaged because of the "longitudinally engaging" limitation in claims 1-3 and 6, whereas the claim grouping of claims 4, 5 and 7 is said, in the argument section of the appeal brief, not to be subject to slow crevice corrosion by battery acids because of the "welded" or "fused" language in claims 4, 5 and 7.

With respect to the section 103 ground of rejection, applicants have pointed out, in the argument section of the appeal brief, that the claim grouping of claim 12 requires "fuse" which is not mentioned in the claim group of claims 11, 15 and 16 with an advantage of the "fuse" limitation having been previously given in the argument against the section 102 ground of rejection.

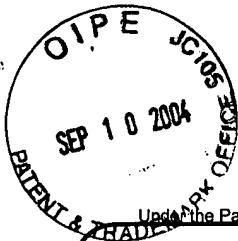
The examiner has argued that Hollis teaches that the inner circumferential surface of the retaining ring is secured to the outer circumferential surface of the terminal barrel portion of the terminal. Being "trapped against" or even "squeezed against" as a result of mechanical swaging in Hollis is not being "secured to". The examiner has argued that Hollis teaches a retaining ring longitudinally engaging the terminal. Being "radially engaged" as a result of mechanical swaging in Hollis is not being "longitudinally engaged". The examiner has argued that Hollis teaches fusing/welding. Being heated to enable mechanical swaging in Hollis is not being heated to enable fusing/welding.

Respectfully submitted,

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/875,787	
	Filing Date	June 6, 2001	
	First Named Inventor	Ananthanarayanan et al.	
	Art Unit	1745	
	Examiner Name	Mark Ruthkosky	
Total Number of Pages in This Submission	3	Attorney Docket Number	DP-304512

ENCLOSURES (Check all that apply)		
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<div>Remarks</div>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Thompson Hine LLP 2000 Courthouse Plaza N.E., 10 West Second Street Dayton, Ohio 45402-1758	
Signature	<i>Douglas E. Erickson</i>	
Date	9/8/04	

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